


CANDIS CHARLENE MORTON, PRO SE
 2568 FENTON PLACE
 NATIONAL CITY, CA 91950
 PHONE: (619) 267-8963

FILED
 2008 JUL -3 PM 2:00
 CLERK US DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA
 BY  DEPUTY

**IN THE UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

CANDIS CHARLENE MORTON,)	CASE NO. 08CV1112 DMS (LSP)
Plaintiff,)	
Vs.)	
)	
PEOPLE'S CHOICE HOME LOAN,)	MOTION FOR REHEARING/ RECONSIDERATION OF THE
INC., AMERICA'S SERVICING)	COURT'S ORDER DENYING
COMPANY AND FIRST AMERICAN)	TEMPORARY RESTRAINING
LOANSTAR,)	ORDER AND TO REVERSE SALE
Defendants.)	<i>Hearing:</i>
)	<i>Aug 22, 2008 1:30 PM</i>

Plaintiff moves this Honorable Court for a rehearing or reconsideration of the Court's Order denying temporary restraining Order dated June 24, 2008 and to reverse the trustee's foreclosure sale of June 24, 2008, and as grounds therefore would state as follows:

In denying the Plaintiff's ex parte application for a temporary restraining Order the Court declined to issue an ex parte TRO because there was no proof of service attached to the application, and Plaintiff did not file her motion until June 23, 2008 and the trustee sale was scheduled for June 24, 2008.

1 In its Order the Court also stated that Plaintiff did not
2 establish a "clear" violation of TILA and that Plaintiff does
3 not explain why Defendants were not provided advance notice of
4 the filing of her Complaint and the present motion.

5 Plaintiff would show unto the Court that she did provide
6 the Court with proof of service at the time she filed her
7 initial pleadings. Plaintiff filed a Verified Complaint and an
8 Ex Parte Application for temporary restraining Order. June 24,
9 2008 the Clerk was provided with proof of service that the
10 Complaint and the application for the restraining Order had been
11 faxed to the trustee First American Loanstar and to America's
12 Servicing Company on the day of filing, and had been sent by
13 certified mail to the original lender, who had since transferred
14 the loan. These facts can be verified by the Clerk of the
15 Court. Plaintiff provided the confirmation of the fax.
16 Plaintiff is unsure as to why the Court was not provided with
17 the proof of service she had supplied with her initial filings.
18 In fact, Jay Cleveland (process server) was in direct
19 communication with the Defendant trustee and loan servicer and
20 they had called him by telephone to make sure they had received
21 all of the pages of the fax. Jay Cleveland spoke to Sherry
22 Brewer at First American Loanstar and she in turn asked him to
23 refax the paperwork to her supervisor, Tammy Rossum. Both verbal
24 notice and a faxed copy of the Complaint and the Ex Parte
25 Application for Temporary Restraining Order were provided again.
26 Plaintiff called to verify that they received the fax. Defendant
27 confirmed that they received the fax again. Plaintiff made a
28 diligent effort to provide notice to the named Defendants.

1 Moreover, the Trustee and loan servicer were well aware
2 prior to the scheduled date of the foreclosure sale that
3 Plaintiff was contesting the loan. Plaintiff had transmitted two
4 separate requests for validation and verification of the loan to
5 the Trustee First American Loanstar Trustee Services. Attached
6 hereto and made a part hereof is a copy of both validation
7 requests sent by Plaintiff to the Trustee, one dated February 4,
8 2008 and the other dated March 14, 2008, along with the
9 certified receipts for mailing and the United States Postal
10 Service Tracking information to confirm that both validation
11 notices had been received. The Trustee First American Loanstar
12 did not respond to either validation notice, a violation of the
13 Federal Fair Debt Collection Practices Act and California Civil
14 Code Section 1788-1788.3. Defendants were well aware that
15 Plaintiff contested the validity of the loan as early as
16 February, 2008.

17 In addition to providing proof of service of the Complaint
18 and the Ex Parte Application for Temporary Restraining Order,
19 Plaintiff also provided explanation as to why she was seeking
20 the Order ex parte: "Plaintiff requests that this Honorable
21 Court grant the relief on an ex parte basis without notice to
22 the other side, in that the threatened proposed Trustee's sale
23 is imminent, and there is insufficient time for Defendants to be
24 heard in opposition prior to the threatened injury taking place.
25 Further, were Defendants given advance notice concerning this
26 relief, Defendant would, in all probability, seek to accelerate
27 the injuries sought to be apprehended." (Paragraph 8 of the Ex
28 Parte Application). Plaintiff did state the basis for the ex

1 parte request, in compliance with Fed. R. Civ. Proc. 65 (b)(2),
2 but also gave as much advance notice under the circumstances as
3 possible, showing a good faith effort on Plaintiff's part to
4 provide notice.

5 The Court also stated that Plaintiff's allegations
6 regarding alleged TILA violations were non-specific and unclear.
7 Under TILA, the lender must give the consumer a notice regarding
8 the right to rescind. 12 C.F.R. section 226.23(b)(1). The notice
9 must include various information. Failure to give two notices is
10 a material violation, as is the failure to give the information
11 required by the regulation. In her Complaint, Plaintiff clearly
12 alleges that "In the course of the consumer credit transaction
13 Defendants violated 15 U.S.C. Section 1635 (a) and Regulation Z
14 section 226.23 (b) by failing to deliver to the Plaintiffs two
15 copies of a notice of the right to rescind" (Paragraph 14 of the
16 Verified Complaint). The Complaint then goes on to list six
17 specific violations. Further in Paragraph 15 of the Complaint
18 Plaintiff states other violations, including "By failing to
19 include in the finance charge certain charges imposed by the
20 Defendant payable by Plaintiff incident to the extension of
21 credit as required by 15 U.S.C. section 1605 and regulation Z
22 section 226.4." Plaintiff submits that a fair reading of the
23 Complaint does contain specific violations and that Plaintiff's
24 Complaint is not non-specific and unclear.

25 WHEREFORE Plaintiff respectfully prays that this Honorable
26 Court rehear and reconsider the ex parte application for
27 temporary restraining Order and reverse the Trustee's sale of
28 the subject property pending a determination of Plaintiff's

1 claims on the merits, and that the Court grant such other and
2 further relief as the Court deems equitable, appropriate and
3 just.

4 CERTIFICATE OF SERVICE

5 I HEREBY CERTIFY that a true and correct copy of the
6 foregoing motion for rehearing/reconsideration and to reverse
7 Sale has been furnished by facsimile transmission and by phone
8 to Defendants First American Loanstar, America's Servicing
9 Company and People's Choice Home Loan this 1st day of July,
10 2008.

11 Candis Charlene Morton
12 Candis Charlene Morton

13 CANDIS CHARLENE MORTON, Plaintiff
14 2568 Fenton Place
15 National City, CA 91950
16 Phone: 619-267-8963
17
18
19
20
21
22
23
24
25
26
27
28

Certified Mail: 7006 2760 0000 0341 1737

REQUEST FOR VALIDATION AND VERIFICATION OF ALLEGED DEBT

NOTICE OF FAIR DEBT COLLECTION PRACTICES ACT
CALIFORNIA CIVIL CODE SECTION 1788-1788.3

February 4, 2008

CANDIS CHARLENE MORTON
2568 Fenton Place
National City, CA 91950

FIRST AMERICAN LOANSTAR TRUSTEE SERVICES
PO BOX 961253
Fort Worth, TX 76161
(817) 699-6035 Customer Care (817) 699-1484 FAX

Loan # 1146020289 TS # 20079134009592

Dear First American Loanstar Trustee Services,

Greetings,

I hereby timely accept your offer to obtain validation and verification of the alleged DEBT as your notice provides a 30-day period in which to make this request.

1. Please obtain and provide the name and address of the original creditor under Affidavit.
2. Please obtain and provide the name and address of the current creditor under Affidavit.
3. Please obtain and provide the name and address of the actual note holder of the original promissory note, and the original deed of trust, to confirm the legal status of the note and the status of the actual holder of the note.

If you do not or are unable to provide the above information within 14 days, you may request an extension not to exceed 21 days from the date of receiving this request to validate the alleged debt.

If you do not provide the information as requested, we both agree there is no valid debt owed to you or anyone else.

Thank you,
Sincerely

CANDIS CHARLENE MORTON
All rights reserved

Certified Mail: 7006 2760 0000 0341 1737

PROOF OF SERVICE AND ACKNOWLEDGMENT OF RECEIPT BY MAIL

State: California)
County: San Diego) Affirmed and Attested

I, Christina Lynch, am over the age of 18 and not a party to the within action and live in San Diego County California. My address is PO BOX 153003, SAN DIEGO, CA 92195. On February 4, 2008 A.D., I did send by Certified mail: 7006 2760 0000 0341 1737, return receipt requested.

And did mail the document(s) described as;

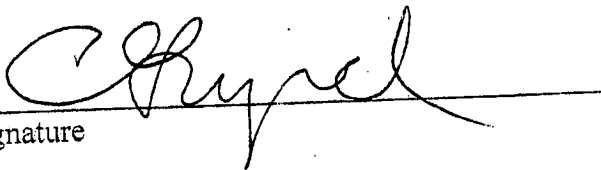
1. Copy of Notice of Default Trustee sale No. 20079134009592.
2. Notice of Request for Validation and Verification of the alleged debt.

And by placing a true copy thereof enclosed in a sealed envelope, fully prepaid, addressed as follows:

FIRST AMERICAN LOANSTAR TRUSTEE SERVICES
PO BOX 961253
Fort Worth, TX 76161
(817) 699-6035 Customer Care
(817) 699-1484 FAX

And by placing in the mail at the location of United States Post Office Post Office 2516 Granger Ave, National City, CA 91950-7821. I attest and affirm that I did mail the above on the date of February 4, 2008 A.D.

Signature





[Home](#) | [Help](#) | [Sign In](#)

[Track & Confirm](#)

[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: **7006 2760 0000 0341 1737**
Status: **Delivered**

Your item was delivered at 7:55 am on February 07, 2008 in FORT WORTH, TX 76161. A proof of delivery record may be available through your local Post Office for a fee.

Additional information for this item is stored in files offline.

[Track & Confirm](#)

Enter Label/Receipt Number.

[Go >](#)

[Restore Offline Details >](#)



[Return to USPS.com Home >](#)

[Site Map](#)

[Contact Us](#)

[Forms](#)

[Gov't Services](#)

[Jobs](#)

[Privacy Policy](#)

[Terms of Use](#)

[National & Premier Accounts](#)

Copyright© 1999-2007 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA



United States Postal Service
Eagle Brand



United States Postal Service
Eagle Brand

Certified Mail: 7006 2760 0000 0341 1744

REQUEST FOR VALIDATION AND VERIFICATION OF ALLEGED DEBT

NOTICE OF FAIR DEBT COLLECTION PRACTICES ACT
CALIFORNIA CIVIL CODE SECTION 1788-1788.3

February 4, 2008

CANDIS CHARLENE MORTON
2568 Fenton Place
National City, CA 91950

US BANK NATIONAL ASSOCIATION AND
AMERICA'S SERVICING COMPANY
PO BOX 10388
Des Moines, IA 50306-0388
(866) 387-5970 Customer Care (866) 453-6315 FAX

Loan # 1146020289 TS # 20079134009592

Dear First American Loanstar Trustee Services,

Greetings,

I hereby timely accept your offer to obtain validation and verification of the alleged DEBT as your notice provides a 30-day period in which to make this request.

1. Please obtain and provide the name and address of the original creditor under Affidavit.
2. Please obtain and provide the name and address of the current creditor under Affidavit.
3. Please obtain and provide the name and address of the actual note holder of the original promissory note, and the original deed of trust, to confirm the legal status of the note and the status of the actual holder of the note.

If you do not or are unable to provide the above information within 14 days, you may request an extension not to exceed 21 days from the date of receiving this request to validate the alleged debt.

If you do not provide the information as requested, we both agree there is no valid debt owed to you or anyone else.

Thank you,
Sincerely

CANDIS CHARLENE MORTON
All rights reserved

Certified Mail: 7006 2760 0000 0341 1744

PROOF OF SERVICE AND ACKNOWLEDGMENT OF RECEIPT BY MAIL

State: California)
County: San Diego) Affirmed and Attested

I, Christina Lynch, am over the age of 18 and not a party to the within action and live in San Diego County California. My address is PO BOX 153003, SAN DIEGO, CA 92195. On February 4, 2008 A.D., I did send by Certified mail: 7006 2760 0000 0341 1744, return receipt requested.

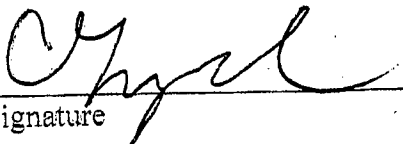
And did mail the document(s) described as;

1. Copy of Notice of Default Trustee sale No. 20079134009592.
2. Notice of Request for Validation and Verification of the alleged debt.

And by placing a true copy thereof enclosed in a sealed envelope, fully prepaid, addressed as follows:

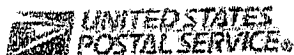
US BANK NATIONAL ASSOCIATION AND
AMERICA'S SERVICING COMPANY
PO BOX 10388
Des Moines, IA 50306-0388
(866) 387-5970 Customer Care
(866) 453-6315 FAX

And by placing in the mail at the location of United States Post Office Post Office 2516 Granger Ave, National City, CA 91950-7821. I attest and affirm that I did mail the above on the date of February 4, 2008 A.D.



Signature

ISPS - Track & Confirm

[Home](#) | [Help](#) | [Sign In](#)[Track & Confirm](#)[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 7006 2760 0000 0341 1744
Status: Delivered

Your item was delivered at 5:44 AM on February 7, 2008 in DES
MOINES, IA 50306.

[Track & Confirm](#)

Enter Label/Receipt Number.

[Go >](#)[Additional Details >](#)[Return to USPS.com Home >](#)

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

[Site Map](#)[Contact Us](#)[Forms](#)[Gov't Services](#)[Jobs](#)[Privacy Policy](#)[Terms of Use](#)[National & Premier Accounts](#)

Copyright© 1999-2007 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA



Small text below logo



Small text below logo

Certified Mail: 7006 2760 0000 0342 9848

NOTICE OF SECOND REQUEST FOR VALIDATION AND INFORMATION TO
VALIDATE ALLEGED DEBT AND NOTICE OF FAULT TEN (10) DAY RIGHT TO
CURE

MARCH 14 2008

CANDIS CHARLENE MORTON
2568 Fenton Place
National City, CA 91950

US BANK NATIONAL ASSOCIATION AND AMERICA'S SERVICING COMPANY
PO BOX 10388
Des Moines, IA 50306-0388
(866) 387-5970 Customer Care (866) 453-6315 FAX

Loan # 1146020289 TS # 20079134009592

NOTICE OF SECOND REQUEST FOR VALIDATION
AND VERIFICATION OF ALLEGED DEBT

NOTICE OF FAULT: MARCH 14 2008
NOTICE OF TEN (10) DAY RIGHT TO CURE FAULT

Dear First American Loanstar Trustee Services,

Greetings,

I have not received your reply to my acceptance of your offer to obtain verification of the
alleged DEBT as your notice provides a 30-period in which to make this request as
received on February 4, 2008.

1. Please obtain and provide the name and address of the original creditor.
2. Please obtain and provide the name and address of the current creditor.
3. Please obtain and provide the name and address of the actual note holder of the
original promissory note and deed of trust to confirm the legal status of the holder
of the note.
4. If you do not provide the information required by the date of April 1, 2008
as requested, the alleged debt you claim to be attempting to collect is unverified
and may not be true at all in relation to the Fair Debt Collection Practices Act and
other law.

Thank you,
Sincerely,

CANDIS CHARLENE MORTON
All rights reserved

Certified Mail: 7006 2760 0000 0342 9848

PROOF OF SERVICE AND ACKNOWLEDGMENT OF RECEIPT BY MAIL

State: California)
County: San Diego) Affirmed and Attested

I, Christina Lynch am over the age of 18 and not a party to the within action and live in San Diego California. My address is PO BOX 153003, San Diego, California.92195 On, March 15, 2008 A.D., I did send by Certified mail: 7006 2760 0000 0342 9848 return receipt requested

And did mail the document(s) described as;

1. Copy of first request for validation Certified Mail 7006 2760 0000 0341 1737 received by US BANK NATIONAL ASSOCIATION AND AMERICA'S SERVICING COMPANY February 7, 2008.
2. Second request for validation, notice of fault with 10 day right to cure, Certified Mail 7006 2760 0000 0342 9848
3. Copy of Notice of Default - Received by me Feb. 4 2008

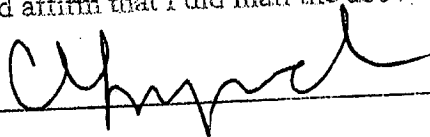
And by placing a true copy thereof enclosed in a sealed envelope, fully prepaid, addressed as follows:

US BANK NATIONAL ASSOCIATION AND AMERICA'S SERVICING COMPANY
PO BOX 10388
Des Moines, IA 50306-0388

And by placing in the mail at the location of United States Post Office Post Office
710 E 16th ST, National City, CA 91950-4628

I attest and affirm that I did mail the above on the date of March 15, 2008 A.D.

Signature



[Home](#) | [Help](#) | [Sign In](#)[Track & Confirm](#)[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: **7006 2760 0000 0342 9848**
Status: **Delivered**

Your item was delivered at 6:50 am on March 18, 2008 in DES MOINES, IA 50328. A proof of delivery record may be available through your local Post Office for a fee.

Additional information for this item is stored in files offline.

[Restore Offline Details >](#)[Return to USPS.com Home >](#)

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)[Site Map](#)[Contact Us](#)[Forms](#)[Gov't Services](#)[Jobs](#)[Privacy Policy](#)[Terms of Use](#)[National & Premier Accounts](#)

Copyright© 1999-2007 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA



United States
Post Office



Section 508
Compliance

Certified Mail: 7006 2760 0000 0342 9787

NOTICE OF SECOND REQUEST FOR VALIDATION AND INFORMATION TO
VALIDATE ALLEGED DEBT AND NOTICE OF FAULT TEN (10) DAY RIGHT TO
CURE

MARCH 14 2008

CANDIS CHARLENE MORTON
2568 Fenton Place
National City, CA 91950

FIRST AMERICAN LOANSTAR TRUSTEE SERVICES
PO BOX 961253
Fort Worth, TX 76161
(817) 699-6035 Customer Care (817) 699-1484 FAX

Loan # 1146020289 TS # 20079134009592

NOTICE OF SECOND REQUEST FOR VALIDATION
AND VERIFICATION OF ALLEGED DEBT

NOTICE OF FAULT: MARCH 14 2008
NOTICE OF TEN (10) DAY RIGHT TO CURE FAULT

Dear First American Loanstar Trustee Services,

Greetings,

I have not received your reply to my acceptance of your offer to obtain verification of the
alleged DEBT as your notice provides a 30-period in which to make this request as
received on February 4, 2008.

1. Please obtain and provide the name and address of the original creditor.
2. Please obtain and provide the name and address of the current creditor.
3. Please obtain and provide the name and address of the actual note holder of the
original promissory note and deed of trust to confirm the legal status of the holder
of the note.
4. If you do not provide the information required by the date of April 1, 2008
as requested, the alleged debt you claim to be attempting to collect is unverified
and may not be true at all in relation to the Fair Debt Collection Practices Act and
other law.

Thank you,
Sincerely

CANDIS CHARLENE MORTON
All rights reserved

Certified Mail: 7006 2760 0000 0342 9787

PROOF OF SERVICE AND ACKNOWLEDGMENT OF RECEIPT BY MAIL

State: California)
County: San Diego) Affirmed and Attested

I, Christina Lynch am over the age of 18 and not a party to the within action and live in San Diego California. My address is PO BOX 153003, San Diego, California. 92195 On, March 15, 2008 A.D., I did send by Certified mail: 7006 2760 0000 0342 9787 return receipt requested

And did mail the document(s) described as;

1. Copy of first request for validation Certified Mail 7006 2760 0000 0341 1737 received by First American Loanstar Trustee Services February 7, 2008.
2. Second request for validation, notice of fault with 10 day right to cure, Certified Mail 7006 2760 0000 0342 9787
3. Copy of Notice of Default -- Received by me Feb. 4 2008

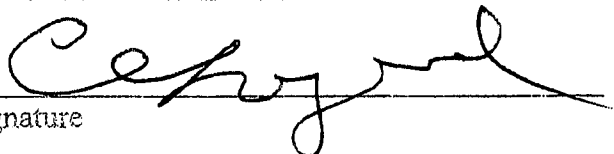
And by placing a true copy thereof enclosed in a sealed envelope, fully prepaid, addressed as follows:

FIRST AMERICAN LOANSTAR TRUSTEE SERVICES
PO BOX 961253
Fort Worth, TX 76161

And by placing in the mail at the location of United States Post Office Post Office 710 E 16th ST, National City, CA 91950-4628

I attest and affirm that I did mail the above on the date of March 15, 2008 A.D.

Signature





[Home](#) | [Help](#) | [Sign In](#)

[Track & Confirm](#) [FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 7006 2760 0000 0342 9787
Status: Notice Left

We attempted to deliver your item at 10:08 am on March 18, 2008 in FORT WORTH, TX 76161 and a notice was left. It can be redelivered or picked up at the Post Office. If the item is unclaimed, it will be returned to the sender. A proof of delivery record may be available through your local Post Office for a fee.

Additional information for this item is stored in files offline.

[Track & Confirm](#)

Enter Label/Receipt Number.

[Go >](#)

[Restore Offline Details >](#)



[Return to USPS.com Home >](#)

[Site Map](#)

[Contact Us](#)

[Forms](#)

[Gov't Services](#)

[Jobs](#)

[Privacy Policy](#)

[Terms of Use](#)

[National & Premier Accounts](#)

Copyright© 1999-2007 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA



U.S. MAIL
First-Class Permitted



First-Class Permitted
Postage & Fees Paid

Certified Mail: 7006 2760 0000 0342 9916

PROOF OF SERVICE AND ACKNOWLEDGMENT OF RECEIPT BY MAIL

State: California)
County: San Diego) Affirmed and Attested

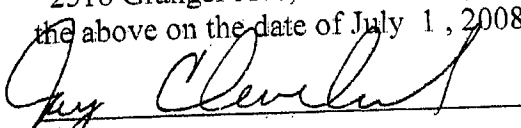
I, Jay Cleveland, am over the age of 18 and not a party to the within action and live in San Diego County, California. My address is PO BOX 8904, CHULA VISTA, CA 91910. On July 1, 2008 A.D., I did send by Certified mail: 7006 2760 0000 0342 9916. And did mail and fax the document(s) described as:

- MOTION FOR REHEARING/RECONSIDERATION OF THE COURT'S ORDER DENYING TEMPORARY RESTRAINING ORDER AND TO REVERSE SALE.

And by placing a true copy thereof enclosed in a sealed envelope, fully prepaid, addressed as follows:

AMERICA'S SERVICING COMPANY
FIRST AMERICAN LOANSTAR TRUSTEE SERVICES
1 FIRST AMERICAN WAY
MAILSTOP 5-5-327
WESTLAKE, TX 76262

And by placing in the mail at the location of United States Post Office Post Office 2516 Granger Ave, National City, CA 91950-7821. I attest and affirm that I did mail the above on the date of July 1, 2008 A.D.



Signature

Certified Mail: 7006 2760 0000 0342 9985

PROOF OF SERVICE AND ACKNOWLEDGMENT OF RECEIPT BY MAIL

State: California)
County: San Diego) Affirmed and Attested

I, Jay Cleveland, am over the age of 18 and not a party to the within action and live in San Diego County, California. My address is PO BOX 8904, CHULA VISTA, CA 91910. On July 1, 2008 A.D., I did send by Certified mail: 7006 2760 0000 0342 9985. And did mail and fax the document(s) described as:

- MOTION FOR REHEARING/RECONSIDERATION OF THE COURT'S ORDER DENYING TEMPORARY RESTRAINING ORDER AND TO REVERSE SALE.

And by placing a true copy thereof enclosed in a sealed envelope, fully prepaid, addressed as follows:

PEOPLE'S CHOICE HOME LOANS
7525 IRVINE CENTER DR
IRVINE, CA 92618

And by placing in the mail at the location of United States Post Office Post Office 2516 Granger Ave, National City, CA 91950-7821. I attest and affirm that I did mail the above on the date of July 1, 2008 A.D.


Signature

PROOF OF SERVICE AND ACKNOWLEDGMENT OF RECEIPT BY MAIL

State: California)
County: San Diego) Affirmed and Attested

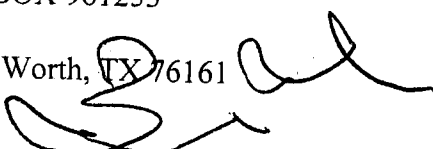
I, Cireeleda Boswell, am over the age of 18 and not a party to the within action and live in San Diego County, California. I did fax a copy of the hearing date of the document(s) described as:

- MOTION FOR REHEARING/RECONSIDERATION OF THE COURT'S ORDER DENYING TEMPORARY RESTRAINING ORDER AND TO REVERSE SALE.

FIRST AMERICAN LOANSTAR TRUSTEE SERVICES

PO BOX 961253

Fort Worth, TX 76161



Signature

PROOF OF SERVICE AND ACKNOWLEDGMENT OF RECEIPT BY MAIL

State: California)
County: San Diego) Affirmed and Attested

I, Cireeleda Boswell, am over the age of 18 and not a party to the within action and live in San Diego County, California. I did send by Fax, on July 3rd 2008, proof of date of hearing on Motion for rehearing/reconsideration of the court's order denying temporary restraining order and to reverse sale.

I did fax the document(s) described as:

- MOTION FOR REHEARING/RECONSIDERATION OF THE COURT'S ORDER DENYING TEMPORARY RESTRAINING ORDER AND TO REVERSE SALE.

PEOPLE'S CHOICE HOME LOANS
7525 IRVINE CENTER DR
IRVINE, CA 92618

Signature 